

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN**



**ELECTRONIC FILING
POLICIES AND PROCEDURES**

**Bernard A. Friedman
Chief Judge**

Revised July 21, 2005

PREFACE

In December 2002, the Administrative Office of the United States Courts advised the Eastern District of Michigan that it had been identified to begin implementation of Case Management / Electronic Case Files (CM/ECF) in January 2003.

On December 18, 2002, Chief Judge Lawrence P. Zatkoff approved a recommendation from the Court's Automation and Technology Committee and appointed an *Ad Hoc* Committee on Electronic Filing. The Committee's charge was to discuss and recommend to the Court a position on various policy issues underlying the creation of a new Local Rule governing electronic filing.

At its regular meeting on September 8, 2003, the Court approved Local Rules [http://www.mied.uscourts.gov/localrules/civil/lr5_1_1.htm] establishing the authority for electronic filing in civil and criminal cases in the Eastern District of Michigan. The Court also agreed that papers filed by electronic means must comply with the technical standards in the Electronic Case Filing (ECF) Policies and Procedures (this document), which is also included as an appendix to the Local Rules. This document was approved by the Court at its regular meeting on December 1, 2003.

At its regular meeting on February 2, 2004, the Court approved a delay in the implementation date of ECF from March 1, 2004, to June 1, 2004.

The Court expresses its appreciation to the members of the *Ad Hoc* Committee on Electronic Filing who worked diligently on this document:

Chief Judge Lawrence P. Zatkoff (Ex Officio)
Judge Robert H. Cleland, Chair
Judge Arthur J. Tarnow
Judge Victoria A. Roberts
Judge David M. Lawson
Magistrate Judge Charles E. Binder
Attorney Daniel J. LaCombe (Barris, Sott, Denn & Driker, PLLC)
Attorney Patrick G. Seyferth (Bush, Seyferth & Kethledge)
Assistant United States Attorney Sheldon N. Light
Deputy Federal Defender Andrew N. Wise
Court Administrator David J. Weaver
Deputy Court Administrator Mary E. Miers (ECF Project Manager)
Operations Manager Kevin B. Williams
Management Analyst Jerri Torolski
Secretary to Court Administrator Stephanie Miskowski (Reporter)

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Comments and suggestions regarding these ECF Policies and Procedures are welcome. They may be made at mied_efile_comments@mied.uscourts.gov.

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Introduction

As of June 1, 2004, the official record of filed cases shall be maintained electronically. After that date, attorneys will be allowed to file papers in all cases by electronic means. The electronic filing system will provide many advantages to those who choose to participate in it. Attorneys who register to participate will have the option to file papers by electronic means through December 1, 2004. After that date, registered attorneys will be required to file papers by electronic means. These policies and procedures set forth the scope and requirements for participating attorneys.

R1 Definitions

The following terms appear in these Electronic Filing Policies and Procedures:

- (a) “E-Government Act of 2002” establishes a broad framework for the use of technology to enhance public access to government information and services. Pub. L. No. 107-347, 116 Stat. 2899. See 44 U.S.C. §§ 3601, et seq.
- (b) “Electronic Filing” means filing a paper over the Internet by a registered attorney.¹
- (c) “Electronic Filing System” (hereinafter ECF) refers to the Court's automated system that receives and stores papers filed in electronic form. The program is part of the CM/ECF (Case Management/Electronic Case Files) software, which was developed for the Federal Judiciary by the Administrative Office of the United States Courts.
- (d) “Filing User” is a registered attorney who has a district court-issued login and password to file papers electronically over the Internet in the Eastern District of Michigan.
- (e) “Hyperlink” is a selectable connection from a word, picture, or information object to another, providing a mechanism for navigating to information between or within electronic documents. Hyperlinks are activated when the user clicks on an “active” region on the document. The active region is usually indicated by the highlighting or underlining of text. (In the context of

¹ Filing users are directed to Fed. R. Civ. P. 5(d) and E.D. Mich. LR 26.2 regarding the prohibition of filing certain papers.

CM/ECF, an example of a useful hyperlink would be a case citation, leading the reader to the text of the cited case, maintained on the Internet, outside of the CM/ECF system.)

- (f) “Initiating Papers” are comprised of the following: civil complaints, criminal complaints, indictments or informations, and any other document filed with the Court that creates a new case and new case number on the Court's docket. An appeal to the Court of Appeals is also considered an initiating paper.
- (g) “Notice of Electronic Filing” (hereinafter NEF) is a notice automatically generated by ECF at the time a paper is filed, setting forth the time of filing, the name of the attorney filing the paper, the type of paper, the text of the docket entry, the name of the attorney receiving the notice, and an electronic link (hyperlink) to the filed paper, which allows recipients to retrieve the paper automatically.
- (h) “Paper” is defined as a pleading, motion, exhibit, declaration, affidavit, memorandum, order, notice and any other filing by or to the Court.
- (i) “Portable Document Format” (hereinafter PDF) refers to a non-modifiable, electronic file that is converted to a format that will look the same on a computer screen and in print, regardless of the printer used to print it, and regardless of the software package originally used to create it. [see R5(b)]

- (j) “Proposed Order” is a draft paper submitted for a judge's editing, if necessary, and signature, in a format compatible with WordPerfect and not in PDF. [see R11(a)]
- (k) “Public Access to Court Electronic Records” (hereinafter PACER) is an automated system that allows any individual to view, print and download Court docket information over the Internet.
- (l) “Technical Failure” is defined as a malfunction of Court-owned/leased equipment (e.g., hardware, software or telecommunication facility) that occurs continuously or intermittently for more than one hour after 12:00 noon (Eastern Time) that day, and which results in the inability of a filing user to file papers electronically. Technical failure does not include malfunctioning of a filing user's equipment.
- (m) “Text-Only Order” is a docket entry that itself constitutes the order. These text-only orders, which are generally only used for routine matters, are official and binding.
- (n) “Traditional Manner” means filed on paper (hard copy) at a Clerk's Office [see R7].

R2 Scope of Electronic Filing

All papers (not simply cases) filed June 1, 2004 and thereafter will be maintained as electronic case files no matter when a case was originally filed. A filing user will be allowed to file papers in all cases by electronic means after June 1, 2004. All filings are subject to the exceptions noted in R7.

R3 Eligibility, Registration, Passwords

(a) A filing user must be an attorney admitted to practice in the Eastern District of Michigan or be an attorney authorized to represent the United States Government, and be a member in good standing.

(b) Each filing user must complete an On-Line Attorney ECF Registration Form by visiting <http://www.mied.uscourts.gov/ECF/ecfprereg.html>.

(c) Each filing user has an ongoing responsibility to notify the Court when any information provided in the On-Line ECF Registration Form changes by completing a Notice of Change of Attorney Information Form. (EXHIBIT A) The filing user must promptly file any such change with the Court and serve a notice on all other parties in that filing user's open cases. Service upon an obsolete e-mail address will constitute valid service if the user has not notified the Court of a new address.

(d) A filing user must have a PACER account and an ECF account in the Eastern District of Michigan.

(e) The Clerk will issue a login and password.

R4 Withdrawing from Participation in ECF

A filing user may withdraw from participation in ECF within the first 60 days after registration by providing the Clerk's Office with written notice, and thereafter with leave of Court. The Chief Judge or designee shall act for the Court.

R5 Filing - In General

(a) Filing users are expected to file papers electronically [except initial papers and other exceptions noted in R7] beginning June 1, 2004, and must so file after December 1, 2004, subject to extenuating circumstances.² Where multiple attorneys, at least one of whom is a filing user, appear on behalf of a party, all papers filed on behalf of that party should be filed electronically.

(b) A file created with a word processor, or a paper that has been scanned, must be converted to PDF to be filed electronically with the Court. Converted files contain the extension “.pdf”. All fonts embedded in PDF records (except in papers that have been scanned) must have been publicly identified as legally embeddable (i.e., the font license permits embedding) in a file for unlimited, universal viewing and printing [font styles, which are the most commonly used fonts for document production: Courier (Regular, Bold, Italic, and Bold Italic), Arial MT (Regular, Bold, Oblique, and Bold Oblique), Times New Roman PS MT (Roman, Bold, Italic, and Bold Italic), Symbol, and ZapfDingbats]. [see R1(i)]

(c) A hyperlink [as defined in R1(e)] contained in an electronic filing is merely a convenient mechanism created by the author for accessing material cited in a document. A hyperlink is not a part of the Court’s record. Accordingly, the Court does not endorse nor exercise any responsibility over the content at the destination. Any hyperlink to a case or other authority included in an electronic filing must be expressed in the full traditional citation method for the cited authority.

R6 Filing - Initiating Papers

² Filing users are directed to Fed. R. Civ. P. 5(d) and E.D. Mich. LR 26.2 regarding the prohibition of filing certain papers.

(a) The filing of initiating papers, issuance and service of the summons, and payment of initial filing fees must be accomplished in the traditional manner.

(b) The filing of criminal initiating papers (e.g., criminal complaints, indictments, or informations) must be accomplished in the traditional manner.

R7 Other Exceptions to Filing Electronically

The following papers must be filed in the traditional manner:

- (a) Sealed,
- (b) In Camera,
- (c) State court record and other Rule 5 material under 28 U.S.C. § 2254,
- (d) Administrative records and transcripts in social security benefits claims,
- (e) Grand Jury matters, and
- (f) Warrants issued.

R8 Service

(a) Fed. R. Civ. P. 5(b) and Fed. R. Crim. P. 49(b) do not permit electronic service of process for purposes of obtaining personal jurisdiction, i.e., Rule 4 service. Therefore, service of process must be effected in the traditional manner.

(b) Whenever a paper is filed electronically in accordance with these procedures, ECF will generate a NEF to all filing users associated with that case and to the judge to whom the case is assigned.

(c) If the recipient is a filing user, the NEF shall constitute service of the paper as if by first class mail. If two or more attorneys appear on behalf of a party, service on one of the attorneys shall be sufficient, unless otherwise required by law.

(d) A certificate of service on all parties entitled to service or notice is still required when a party files a paper electronically. The certificate must state the manner in which service or notice was accomplished on each party so served. This may be included as part of the paper rather than a separate filing. See EXHIBIT B for a sample certificate of service.

(e) A party who is not a filing user is entitled to a hard copy of any paper filed electronically. Service of such hard copy must be made according to the federal rules (civil and criminal) of procedure and local rules.

R9 Signatures

(a) The user login and password serve as the filing user's signature on all papers filed electronically with the Court. They serve as a signature for purposes of Fed.R.Civ.P. 11, all other federal rules (civil and criminal), the local rules, and for any other purpose for which a signature is required in connection with proceedings before the Court.

(b) A paper filed electronically must include a signature block containing name, firm name (if applicable), street address, telephone number, primary e-mail address, and bar ID number (where applicable). In addition, the name of the filing user under whose login and password the paper is filed must be preceded by an "s/" typed in the space where the signature would otherwise appear.

SAMPLE: s/Name of Filing User

Firm Name (if applicable)
Street Address
City, State, Zip Code
Telephone Number: (xxx) xxx-xxxx
Primary Email Address
Attorney Bar No. (if applicable)

(c) A paper containing the signature of a defendant in a criminal case shall be scanned and filed by filing users or Court personnel.

(d) A paper requiring the signature of more than one party shall be filed electronically by:

- (1) Submitting a scanned paper containing all necessary signatures, or
- (2) Representing the consent of the other parties on the paper; or
- (3) In any other manner approved by the Court.

R10 Entry of Court-Issued Papers

(a) All signed orders will be filed by Court personnel. Any order signed electronically (with s/judge's name) shall have the same force and effect as if the judge had affixed his or her signature to a hard copy of the order and it had been entered on the docket in the traditional manner.

(b) The judge to whom a case is assigned may issue routine text-only orders for which ECF will generate a NEF. For text-only orders, no PDF paper will issue; the text-only order entry shall constitute the Court's only order on the matter. In civil cases, such orders may include but are not limited to orders setting or modifying a schedule, orders extending time, and orders granting leave to file papers. In criminal cases, such orders could include orders of dismissal filed under Fed. R. Crim. P. 48(a) and orders unsealing documents.

R11 Proposed Orders

(a) Proposed orders [see R1(j)] must be submitted to the judge to whom the case is assigned or to the magistrate judge to whom the matter is referred via the link located under the Utilities section of CM/ECF. This link may not be used for any other purpose.

(1) If the movant (filing user) obtains concurrence pursuant to E.D. Mich. LR 7.1(a)(1), the proposed stipulated order must be submitted via the link referred to in (a).

(2) If concurrence is obtained and the movant (filing user) prepares a separate stipulation and separate proposed order, the separate stipulation must be filed electronically and the proposed order must be submitted via the link referred to in (a).

(3) Proposed orders shall not be combined with *ex-parte* motions. The *ex-parte* motion must be filed electronically first and the proposed order must be submitted via the link referred to in (a).

(4) An exception to the submission of proposed orders via the link referred to in (a) is found in E.D. Mich. LR 58.1(c).

(b) A copy of the proposed order must be provided either by e-mail or other form to all other parties.

(c) Alternatively, a motion or stipulation may request that routine relief be granted by text-only order. Such orders are official and binding.

R12 Docket/Official Court Record

A paper filed electronically in accordance with these policies and procedures shall constitute entry of that paper on the docket kept by the Clerk under Fed. R. Civ. P. 58 and 79, and Fed. R. Crim. P. 55.

R13 Technical Failure of Court Equipment; Malfunction of Filing User's Equipment

(a) If a filing user encounters technical failure of Court equipment [as defined in R1(l)], the paper may be submitted to the Court as indicated below, provided that it is accompanied by an affidavit of the filing user's failed attempts to file electronically at least two times after 12:00 noon, each attempt separated by at least one hour. The following methods of filing are acceptable in the case of a technical failure:

(1) Via e-mail sent that day with PDF attachment to the e-mail address for technical failures (technicalfailures@mied.uscourts.gov); or

(2) Via electronic filing the next business day that ECF is operational.

(b) A filing user who suffers prejudice as a result of a malfunction of the filing user's own equipment may seek appropriate relief from the Court, which may include leave to file in the traditional manner.

R14 Papers Filed In Error/Correcting Docket Entries

Once a paper is filed electronically and becomes part of the docket, corrections to the docket may be made only by the Clerk's Office.

R15 Deadlines

(a) A paper filed electronically is deemed filed on the date and time stated on the NEF.

(b) Filing electronically does not alter the filing deadline for a paper. Filing users are encouraged to file electronically during ordinary business hours; however, filing electronically must be completed before 12:00 midnight (Eastern Time) in order to be considered timely filed that day, unless a technical failure [see R13(a)] or malfunction of

filing user's equipment occurs [see R13(b)]. In accordance with Fed.R.Civ.P. 6(e) and Fed.R.Crim.P. 45(c), service by electronic means is treated the same as if by first class mail.

R16 Transcripts of Court Proceedings

(a) A transcript of Court proceedings filed electronically by an official Court reporter by use of the Court reporter's log-in name and password shall be deemed the filing of a signed and certified original transcript for all purposes.

(b) Public access to transcripts of Court proceedings shall be subject to rules to be drafted following action by the Judicial Conference of the United States.

R17 Retention Requirements

The official Court record shall be the electronic file maintained on the Court's servers and any papers allowed to be filed in the traditional manner. The Clerk's Office will discard all papers brought to the Clerk's Office for entry on the docket after those papers are scanned and uploaded to ECF. Therefore, the Court encourages attorneys to retain the originals of papers with intrinsic value.

R18 Exhibits

(a) In General

An exhibit available in original electronic format must be converted to PDF and filed electronically, subject to size limitations contained herein. A filing user must scan a paper exhibit that is less than 5 megabytes³ and submit the exhibit as a PDF file. Because PDF files containing scanned papers take up considerably more space on ECF

³ 5 megabytes equals approximately 80 pages of conventional text. Filing users are directed to file only portions of exhibits that are germane and not include any paper that is already part of the record.

than PDF files containing electronically-generated papers, filing users may submit PDF files containing scanned papers of more than 5 megabytes only if they are filed in separate 5 megabyte segments.

The offering party shall retain hard copies, or accurate electronic copies, of exhibits until entry of final orders by the District Court and, if applicable, appellate courts.

(b) Filing Exhibits to Papers Electronically

Exhibits must be filed electronically according to the following procedure:

(1) The filing user must prepare an index of exhibits and file the index as the first attachment to the paper. Each exhibit must be described on the index both by an exhibit identifier and by a brief narrative description. See Sample Index of Exhibits (EXHIBIT C).

(2) Each exhibit must then be filed and identified as a separate attachment to the paper, and must be identified for filing with the same exhibit identifier and narrative description used in describing the exhibit in the index required by R18(b)(1).

(c) Filing Exhibits in Traditional Manner

A filing user must obtain leave of court to file exhibits in the traditional manner if the exhibits cannot authentically be converted to electronic form as required in R18(a). See Sample Ex Parte Motion for Leave to File Exhibits in the Traditional Manner (EXHIBIT D). If the Court grants a filing user leave of court to file exhibits in the traditional manner, the Notice of Filing Exhibits in the Traditional Manner (EXHIBIT E) must be completed and accompany the filing. The exhibits must then be filed according to the following procedures:

(1) The filing user must prepare an index of exhibits. This index must be filed as an attachment to the main paper and must state that the exhibits are being filed in the traditional manner rather than electronically.

(2) The filing user shall file the exhibits in the traditional manner accompanied by a cover sheet identifying the paper to which the exhibits relate (e.g., “Exhibits in Support of Defendant XYZ Company's Memorandum in Support of Motion for Summary Judgment”). The exhibits must be tabbed and bound. The Clerk's Office will note on the docket its receipt of the exhibits with a text-only entry.

(3) A filing user must serve materials filed in the traditional manner on other parties in accordance with the federal and local rules, and file a notice electronically [see R8(d)].

R19 Access To Papers in ECF

(a) Subject to the “Transcript of Court Proceedings” section, a person may retrieve information from ECF at the Court's Internet site by obtaining a PACER login and password. A person who has PACER access may retrieve the docket and papers in civil cases, except social security benefits cases. In social security benefits cases, only counsel of record or parties in the case may retrieve papers. Judicial Conference of the United States policy prohibits routine public access via the Internet of social security benefits cases.

(b) A person who has PACER access may retrieve the docket and papers filed after November 1, 2004 in a criminal case. However, only counsel of record in a case, or a *pro se* defendant with PACER access, may retrieve papers filed before November 1,

2004.

R20 E-Government Act of 2002

The Court's compliance with the policy of the Judicial Conference of the United States and the E-Government Act of 2002, and its amendments of August 2, 2004 are governed by Administrative Order 04-AO-050 (EXHIBIT F).

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

Plaintiff(s),

Case No.

v.

Judge

Magistrate Judge

Defendant(s).

___/

NOTICE OF CHANGE OF ATTORNEY INFORMATION

To: **Attorney Admission Clerk and All Other Parties**

Pursuant to the Electronic Filing Policy and Procedures, please take notice of the following attorney information change(s) for: _____.

" Name Change:

From: _____ To: _____

" I am a Michigan attorney. My Bar Number is: _____.

" I am an out-of-state attorney.

" Law Firm/Government Agency Association.

From: _____

To: _____

" I will continue to be counsel of record on the above-entitled case at my new firm/agency.

" I am no longer counsel of record on the above-entitled case; please serve all subsequent documents on: _____,

Michigan Bar Number: _____ at my former firm/agency. This attorney

" is **"** is not currently on the Court's docket.

" Address: _____

" Telephone Number: _____

" Primary E-Mail Address: _____

" Secondary E-Mail Address(es): _____

Date: _____

_____/s/Name of Filing User

Firm Name (if applicable)
Street Address
City, State, Zip Code
Telephone Number
Primary Email Address
Attorney Bar No. (if applicable)

EXHIBIT A

CERTIFICATE OF SERVICE

I hereby certify that on _____, I electronically filed the foregoing paper with the Clerk of
the Court using the ECF system which will send notification of such filing to the following: _____

_____, and I hereby certify that I have mailed by United States Postal
Service the paper to the following non-ECF participants: _____

s/Name of Filing User

Firm Name (if applicable)
Street Address
City, State, Zip Code
Telephone Number
Primary Email Address
Attorney Bar No. (if applicable)

EXHIBIT B

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN**

SAMPLE INDEX OF EXHIBITS INDEX

<u>Exhibit</u>	<u>Description</u>
A	Affidavit of John Smith
B	Excerpts from Jane Doe's Deposition
C-1	Contract Between XYZ Company and ABC Company (Part 1, Pages 1-35)
C-2	Contract Between XYZ Company and ABC Company (Part 2, Pages 36-69)
D	XYZ Company General Ledgers

EXHIBIT C

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

Plaintiff(s),

Case No.

v.

Judge

Magistrate Judge

Defendant(s).

___/

**EX PARTE MOTION FOR LEAVE TO FILE
EXHIBITS IN THE TRADITIONAL MANNER**

NOW COMES the undersigned _____, and pursuant to the Electronic Filing Policies and Procedures, seeks leave of this Court to file exhibits in the traditional manner.

The exhibits to _____ cannot be authentically converted to electronic form for the following reason(s): _____

For the foregoing reasons, the undersigned respectfully requests that this Court grant the leave sought in this motion.

Date: _____

s/Name of Filing User

Firm Name (if applicable)
Street Address
City, State, Zip Code
Telephone Number
Primary Email Address
Attorney Bar No. (if applicable)

EXHIBIT D

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

Plaintiff(s), Case No.
v. Judge
Magistrate Judge
Defendant(s).
____/

NOTICE OF FILING EXHIBITS IN THE TRADITIONAL MANNER

Please take notice that the undersigned has filed exhibits to the following paper in the traditional manner.

Leave of Court was previously granted on _____ by the above judicial officer.
[Date]

Title of Paper: _____

The exhibits have been served in hard copy on all parties pursuant to federal and local rules.

Date: _____ s/Name of Filing User _____

Firm Name (if applicable)
Street Address
City, State, Zip Code
Telephone Number
Primary Email Address
Attorney Bar No. (if applicable)

EXHIBIT E

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

Re: Filing of Papers in Civil and
Criminal Cases - Compliance with
E-Government Act of 2002

Administrative Order

No. 04-AO-050 _____

ADMINISTRATIVE ORDER

This administrative order supersedes Administrative Order No. 03-AO-028, in re: Filing of Papers - Compliance with E-Government Act of 2002.

In compliance with the policy of the Judicial Conference of the United States and the E-Government Act of 2002 (Pub. L. No. 107-347), and its amendments of August 2, 2004 (H.R. 1303), and in order to promote electronic access to civil and criminal case files while also protecting personal privacy and other legitimate interests, parties shall refrain from including, or shall partially redact where inclusion is necessary, the following personal data identifiers from all papers filed with the Court, including exhibits thereto, whether filed electronically or in the traditional paper form, unless otherwise ordered by the Court:

- a. **Social Security Numbers.** If an individual's social security number must be included in a paper, only the last four digits of that number may be used and the number specified in substantially the following format: XXX-XX-1234.
- b. **Names of Minor Children.** If the involvement of a minor child must be mentioned, only the initials of that child may be used.
- c. **Dates of Birth.** If an individual's date of birth must be included in a paper, only the year may be used and the date specified in substantially the following format: XX/XX/1998.
- d. **Financial Account Numbers.** If a financial account number must be included in a paper, only the last four digits of these numbers may be used and the number specified in substantially the following format: XXXXX1234.
- e. **Driver's License Numbers and State-Issued Personal Identification Card Numbers.** If an individual's driver's license number or state-issued personal identification card number must be included in a paper, only the last four digits of that number should be used and the number specified in substantially the following format: X-XXX-XXX-XX1-234.
- f. **Home Addresses.** If an individual's home address must be included in a paper, only the city and state should be used.

EXHIBIT F

Parties wishing to file a paper containing a complete personal data identifier listed above may:

- a. File an unredacted version of the paper under seal. The unredacted version of the paper shall be retained by the Court as part of the record. The Court may, however, still require that a redacted copy be filed for the public file.

OR

- b. File a reference list under seal. The reference list shall contain the complete personal data identifiers and the redacted identifiers used in the filing. All references in the case to the redacted identifiers included in the reference list will be construed to refer to the corresponding complete personal data identifiers. The reference list must be filed under seal, and may be amended as of right. The reference list shall be retained by the Court as part of the record.

Parties should also exercise caution when filing papers that contain the following:

1. Medical records, treatment and diagnosis;
2. Employment history;
3. Individual financial information;
4. Proprietary or trade secret information;
5. Information regarding an individual's cooperation with the government;
6. Information regarding the victim of any criminal activity;
7. National security information; and
8. Sensitive security information as described in 49 U.S.C. § 114(s)

The responsibility for redacting these personal identifiers rests solely with counsel and the parties. The Clerk will not review each paper for compliance with this order.

This order, which is effective immediately, is intended to supplement Local Rule 5.1, Filing of Papers, until such time as it is amended by action of the Court.

FOR THE COURT:

s/ Bernard A. Friedman
Bernard A. Friedman
Chief Judge

Filed: December 6, 2004